

Docket No. 030007

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

METHOD FOR DETECTION OF PATHOGENIC MICROORGANISMS

the specification of which (check one):

_____X_____ is attached hereto
_____ was filed on _____ as Application Serial No. _____
_____ and was amended on _____, if applicable

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

| | | | | | |
|------------------------------|----------|-------------------------|--|------------------|----|
| Prior Foreign Application(s) | | | | Priority Claimed | |
| <hr/> | <hr/> | <hr/> | | Yes | No |
| (Number) | (County) | (Date/Month/Year Filed) | | | |

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|--------------------------|----------------|--|
| 60/347,806 | 1/10/02 | |
| (Application Serial No.) | (Filing Date) | (Status: patented, pending, abandoned) |
| | | |
| | | |
| (Application Serial No.) | (Filing Date) | (Status: patented, pending, abandoned) |

I hereby appoint the following attorney(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith: Lynn J. Alstadt, Reg. No. 29,362; George P. Baier, Reg. No. 26,717; Dennis M. Carleton, Reg. No. 40,938; Craig G. Cochenour, Reg. No. 33,666; Michael L. Dever, Reg. No. 32,216; John E. Grosselin, III, Reg. No. 38,478; Bryan H. Opalko, Reg. No. 40,751; Michael G. Panian, Reg. No. 32,623; and Carla J. Vrsansky, Reg. No. 36,958.

Address all telephone calls to Michael L. Dever, Esquire

Address all correspondence to Buchanan Ingersoll Professional Corporation
One Oxford Centre
301 Grant Street, 20th Floor
Pittsburgh, Pennsylvania 15219-1410
412-562-1637

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Charles W. Gardner, Jr.

Inventor's Signature *Charles W. Gardner, Jr.*

Date 1/9/2003

Residence Gibsonia, Allegheny County, Pennsylvania

Citizenship USA

Post Office Address: 4878 Wickloe Drive, Gibsonia, Pennsylvania 15044

Full name of second joint inventor John S. Maier

Inventor's Signature *John S. Maier*

Date 1-9-3

Residence Pittsburgh, Allegheny County, Pennsylvania

Citizenship USA

Post Office Address 622 S. Lang Avenue, Pittsburgh, Pennsylvania 15208

Full name of third joint inventor Matthew P. Nelson

Inventor's Signature *Matthew P. Nelson*

Date 1-9-03

Residence Pittsburgh, Allegheny County, Pennsylvania

Citizenship USA

Post Office Address 3941 Dowling Avenue, Pittsburgh, Pennsylvania 15221

Full name of fourth joint inventor Robert C. Schweitzer

Inventor's Signature *Robert C. Schweitzer*

Date 1/9/03

Residence Pittsburgh, Allegheny County, Pennsylvania

Citizenship USA

Post Office Address 245 Knickerbocker Drive, Pittsburgh, Pennsylvania 15235

Full name of fifth joint inventor Patrick J. Treado

Inventor's Signature _____

Date _____

Residence Pittsburgh, Allegheny County, Pennsylvania

Citizenship USA

Post Office Address 315 S. Lexington Avenue, Pittsburgh, Pennsylvania 15208

Full name of sixth joint inventor: G. Steven Vanni

Inventor's Signature *G. Steven Vanni*

Date 1-9-03

Residence Pittsburgh, Allegheny County, Pennsylvania

Citizenship USA

Post Office Address 6336 Marchland Street, Apt. 2, Pittsburgh, Pennsylvania 15206-4312

Full name of seventh joint inventor: Juliane Wolfe

Inventor's Signature

Juliane Wolfe

ate

1/9/03

Residence Pittsburgh, Allegheny County, Pennsylvania

Citizenship USA

Post Office Address 3070 Texas Avenue, Pittsburgh, Pennsylvania 15216

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

STATEMENT UNDER 37 CFR 3.73(b)Applicant/Patent Owner: Gardner, Jr., et al.Application No./Patent No.: 10/339,807 Filed/Issue Date: 01/10/2003Entitled: METHOD FOR DETECTION OF PATHOGENIC MICROORGANISMSChemImage, Inc. _____, a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:A. [☒] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 013760, Frame 0530, or for which a copy thereof is attached.**OR**B. [☐] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

2. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.

3. From: _____ To: _____

The document was recorded in the United States Patent and Trademark Office at
Reel _____, Frame _____, or for which a copy thereof is attached.[☐] Additional documents in the chain of title are listed on a supplemental sheet.[☐] Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

April 14, 2004
Date717-237-5516
Telephone numberSamuel W. Apicelli

Typed or printed name


SignatureAttorney Reg. No. 36,427

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



JUNE 27, 2003

PTAS

Under Secretary of Commerce For Intellectual Property and
Director of the United States Patent and Trademark Office
Washington, DC 20231
www.uspto.gov

MICHAEL L. DEVER
BUCHANAN INGERSOLL, P.C.
301 GRANT STREET, 20TH FLOOR
PITTSBURGH, PA 15219



102369674A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/19/2003

REEL/FRAME: 013760/0530
NUMBER OF PAGES: 14

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

GARDNER, CHARLES W. JR.

DOC DATE: 01/09/2003

ASSIGNOR:

MAIER, JOHN S.

DOC DATE: 01/09/2003

ASSIGNOR:

NELSON, MATTHEW P.

DOC DATE: 01/09/2003

ASSIGNOR:

SCHWEITZER, ROBERT C.

DOC DATE: 01/09/2003

ASSIGNOR:

TREADO, PATRICK J.

DOC DATE: 01/14/2003

ASSIGNOR:

VANNI, G. STEVEN

DOC DATE: 01/09/2003

ASSIGNOR:

WOLFE, JULIANE

DOC DATE: 01/09/2003

**DOCKETED ON COMPUTER
ANGIE BEYERL**

013760/0530 PAGE 2

ASSIGNEE:

CHEMIMAGE, INC.
7301 PENN AVENUE
PITTSBURGH, PENNSYLVANIA 15208

SERIAL NUMBER: 10339807
PATENT NUMBER:

FILING DATE: 01/10/2003
ISSUE DATE:

SHARON LATIMER, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

02-21-2003



102369674

OFFICE OF PUBLIC RECORDS

U.S. Department of Commerce
Patent and Trademark Office
PATENT

2003 FEB 19 AM 9:01

2-19-03

RECORDATION FORM COVER SHEET
PATENTS ONLY

TO: The Commissioner of Patents and Trademarks: Please record the attached original document(s) or copy(ies).

Submission Type

- ☒ New
☐ Resubmission (Non-Recordation)
Document ID#
☐ Correction of PTO Error
Reel # Frame #
☐ Corrective Document
Reel # Frame #

Conveyance Type

- ☒ Assignment ☐ Security Agreement
☐ License ☐ Change of Name
☐ Merger ☐ Other
U.S. Government
(For Use ONLY by U.S. Government Agencies)
☐ Departmental File ☐ Secret File

Conveying Party(ies)

☒ Mark if additional names of conveying parties attached

Name (line 1)

Execution Date
Month Day Year

Name (line 2)

Second Party

Name (line 1)

Execution Date
Month Day Year

Name (line 2)

Receiving Party

☐ Mark if additional names of receiving parties attached

Name (line 1)

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)
City State/Country Zip Code

Domestic Representative Name and Address

Enter for the first Receiving Party only.

Name

Address (line 1)

Address (line 2)

Address (line 3)

Address (line 4)

02/20/2003 BYRNE 00000122 10339807

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Public burden reporting for this collection of information is estimated to average approximately 30 minutes per Cover Sheet to be recorded, including time for reviewing the document and gathering the data needed to complete the Cover Sheet. Send comments regarding this burden estimate to the U.S. Patent and Trademark Office, Chief Information Officer, Washington, D.C. 20231 and to the Office of Information and Regulatory Affairs, Office of Management and Budget, Paperwork Reduction Project (0651-0027), Washington, D.C. 20503. See OMB Information Collection Budget Package 0651-0027, Patent and Trademark Assignment Practice. DO NOT SEND REQUESTS TO RECORD ASSIGNMENT DOCUMENTS TO THIS ADDRESS.

Mail documents to be recorded with required cover sheet(s) information to:
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

Correspondent Name and Address

Area Code and Telephone Number

412-562-1637

Name **Michael L. Dever**

Address (line 1) **Buchanan Ingersoll, P.C.**

Address (line 2) **301 Grant Street, 20th Floor**

Address (line 3) **Pittsburgh, PA 15219**

Address (line 4)

Pages

Enter the total number of pages of the attached conveyance document including any attachments.

14

Application Number(s) or Patent Number(s)

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

☐ Mark if additional numbers attached

Patent Application Number(s)

10/339,807

Patent Number(s)

If this document is being filed together with a new Patent Application, enter the date the patent application was signed by the first named executing inventor.

Month Day Year

Patent Cooperation Treaty (PCT)

Enter PCT application number
only if a U.S. Application Number
has not been assigned.

PCT PCT PCT
PCT PCT PCT

Number of Properties

Enter the total number of properties involved.

1

Fee Amount

Fee Amount for Properties Listed (37 CFR 3.41): \$ **40.00**

Method of Payment:
Deposit Account

Enclosed ☒ Deposit Account ☐

(Enter for payment by deposit account or if additional fees can be charged to the account.)

Deposit Account Number:

02-4553

Authorization to charge additional fees:

Yes ☒ No ☐

Statement and Signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document. Charges to deposit account are authorized, as indicated herein.

Michael L. Dever

Name of Person Signing

Signature

Date

2/10/03

RECORDATION FORM COVER SHEET
CONTINUATION
PATENTS ONLY

U.S. Department of Commerce
Patent and Trademark Office
PATENT

Conveying Party(ies)

☒ Mark If additional names of conveying parties attached

Enter additional Conveying Parties

Name (line 1) Matthew P. Nelson

Execution Date
Month Day Year
01 09 03

Name (line 2)

Name (line 1) Robert C. Schweitzer

Execution Date
Month Day Year
01 09 03

Name (line 2)

Name (line 1) Patrick J. Treado

Execution Date
Month Day Year
01 14 03

Name (line 2)

Receiving Party(ies)

☐ Mark If additional names of receiving parties attached

Enter additional Receiving Party(ies)

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3) City State/Country Zip Code

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3) City State/Country Zip Code

☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

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☐ Mark If additional numbers attached

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Patent Application Number(s)

Patent Number(s)

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RECORDATION FORM COVER SHEET
CONTINUATION
PATENTS ONLY

U.S. Department of Commerce
Patent and Trademark Office
PATENT

Conveying Party(ies)

☐ Mark if additional names of conveying parties attached

Enter additional Conveying Parties

Name (line 1) G. Steven Vanni

Execution Date
Month Day Year

01 09 03

Name (line 2)

Name (line 1) Juliane Wolfe

Execution Date
Month Day Year

01 09 03

Name (line 2)

Name (line 1)

Execution Date
Month Day Year

Name (line 2)

Receiving Party(ies)

☐ Mark if additional names of receiving parties attached

Enter additional Receiving Party(ies)

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

Name (line 1)

Name (line 2)

Address (line 1)

Address (line 2)

Address (line 3)

City

State/Country

Zip Code

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☐ If document to be recorded is an assignment and the receiving party is not domiciled in the United States, an appointment of a domestic representative is attached. (Designation must be a separate document from Assignment.)

Application Number(s) or Patent Number(s)

☐ Mark if additional numbers attached

Enter either the Patent Application Number or the Patent Number (DO NOT ENTER BOTH numbers for the same property).

Patent Application Number(s)

Patent Number(s)

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ASSIGNMENT

WHEREAS, We, Charles W. Gardner, Jr., John S. Maier, Matthew P. Nelson, Robert C. Schweitzer, Patrick J. Treado, G. Steven Vanni and Juliane Wolfe, residing at Allegheny County, Gibsonia, Pennsylvania; Allegheny County, Pittsburgh, Pennsylvania; Allegheny County, Pittsburgh, Pennsylvania; Allegheny County, Pittsburgh, Pennsylvania; Allegheny County, Pittsburgh, Pennsylvania; and Allegheny County, Pittsburgh, Pennsylvania respectively, have invented certain new and useful apparatus, inventions, discoveries and/or improvements disclosed in a U.S. patent application entitled "Method for Detection of Pathogenic Microorganisms" for which an application for United States Letters Patent was executed by us on the date of execution of this Assignment;

AND WHEREAS, ChemImage, Inc., having a place of business at 7301 Penn Avenue, Pittsburgh, Pennsylvania 15208 (hereinafter the "Assignee"), is desirous of acquiring the entire right, title and interest in and to said application and the apparatus, inventions, discoveries, and improvements therein disclosed;

NOW THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration paid to us by said Assignee, receipt whereof we hereby acknowledge, we do hereby assign, sell, transfer, and set over unto said Assignee the entire right, title, and interest in and to said application and the apparatus, inventions, discoveries and improvements therein disclosed for the United States and all foreign countries and any Letters Patent which may issue therefor in the United States and all foreign countries and all divisions, reissues, continuations, renewals, and/or extensions thereof, including all priority rights under the International Convention associated therewith for each country and the United States, said Assignee to have and to hold the interests herein assigned to the full ends of the terms of said Letters Patent and any and all divisions, reissues, continuations, renewals, and/or extensions thereof, respectively, as fully and entirely as the same would have been held and enjoyed by us had this Assignment not been made.

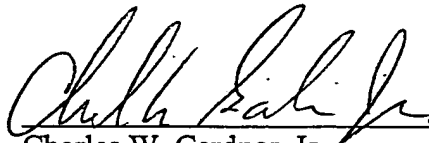
The Commissioner of Patents and Trademark is requested to issue such Letters Patent in accordance herewith. We covenant that we are the lawful owners of the said application, apparatus, inventions, discoveries and improvements, that the same are unencumbered, that no license has been granted to make, use, or vend the said apparatus, inventions, discoveries or improvements or any of them, and that we have the full right to make this Assignment.

And for said consideration, we agree jointly and individually that we will communicate to said Assignee or the representatives thereof any facts known to us respecting said apparatus, inventions, discoveries and improvements, and will, upon request, but without expense to us, testify in any legal proceedings, sign all lawful papers, execute all divisional, reissue, continuation, renewal, and/or extension applications, make all rightful oaths, and generally do all other and further lawful acts, deemed necessary or expedient by said Assignee or by counsel for said Assignee, to assist or enable said Assignee to obtain and enforce full benefits from the rights and interests herein assigned, and, in the event of any application or Letters Patent assigned herein becoming involved in Interference, to cooperate to the best of the ability of the

undersigned in the matters of preparing and executing the preliminary statement and giving and producing evidence in support thereof. This Assignment shall be binding upon our heirs, executors, administrators, and/or assigns, and shall inure to the benefit of the heirs, executors, administrators, successors, and/or assigns, as the case may be, of said Assignee.

And for said consideration, the undersigned hereby agrees to execute, at the request of said Assignee, all documents in connection with any application for foreign letters patent therefor.

Executed: 1/9/2003


Charles W. Gardner, Jr.

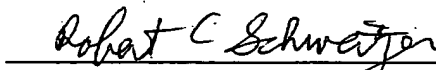
Executed: 1-9-3


John S. Maier

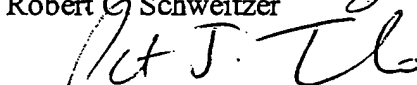
Executed: 1-9-03


Matthew P. Nelson

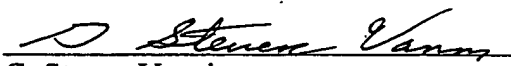
Executed: 1/9/03


Robert C. Schweitzer

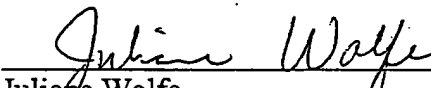
Executed: 1/14/03


Patrick J. Treado

Executed: 1-9-03


G. Steven Vanni

Executed: 1/9/03


Julianne Wolfe

State of Pennsylvania

SS:

County of Allegheny

Before me, a Notary Public in and for the said County and State, personally appeared, CHARLES W. GARDNER, JR., who acknowledged that he is the person who executed the foregoing Assignment and acknowledged it to be his free and voluntary act and deed.

Witness my hand and notarial seal this 9th day of January, 2003.

(Notarial Seal)

| | |
|--|---|
| Notarial Seal Bethany R. Alborn, Notary Public City of Pittsburgh, Allegheny County My Commission Expires Aug. 21, 2006 | <u>Bethany R. Alborn</u> Notary Public |
|--|---|

State of Pennsylvania

SS:

County of Allegheny

Before me, a Notary Public in and for the said County and State, personally appeared, JOHN S. MAIER, who acknowledged that he is the person who executed the foregoing Assignment and acknowledged it to be his free and voluntary act and deed.

Witness my hand and notarial seal this 9th day of January, 2003.

(Notarial Seal)

Bethany R. Alborn
Notary Public

| |
|--|
| Notarial Seal Bethany R. Alborn, Notary Public City of Pittsburgh, Allegheny County My Commission Expires Aug. 21, 2006 |
|--|

State of Pennsylvania

SS:

County of Allegheny

Before me, a Notary Public in and for the said County and State, personally appeared, MATTHEW P. NELSON, who acknowledged that he is the person who executed the foregoing Assignment and acknowledged it to be his free and voluntary act and deed.

Witness my hand and notarial seal this 9th day of January, 2003.

(Notarial Seal)

Bethany R. Alborn
Notary Public

| |
|--|
| Notarial Seal Bethany R. Alborn, Notary Public City of Pittsburgh, Allegheny County My Commission Expires Aug. 21, 2006 |
|--|

State of Pennsylvania

SS:

County of Allegheny

Before me, a Notary Public in and for the said County and State, personally appeared, ROBERT C. SCHWEITZER, who acknowledged that he is the person who executed the foregoing Assignment and acknowledged it to be his free and voluntary act and deed.

Witness my hand and notarial seal this 9th day of January, 2003.

(Notarial Seal)

Bethany R. Alborn

Notary Public

Notarial Seal
Bethany R. Alborn, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires Aug. 21, 2006

State of Pennsylvania

SS:

County of Allegheny

Before me, a Notary Public in and for the said County and State, personally appeared, PATRICK J. TREADO, who acknowledged that he is the person who executed the foregoing Assignment and acknowledged it to be his free and voluntary act and deed.

Witness my hand and notarial seal this 14th day of January, 2003.

(Notarial Seal)

Bethany R. Alborn

Notary Public

Notarial Seal
Bethany R. Alborn, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires Aug. 21, 2006

State of Pennsylvania

SS:

County of Allegheny

Before me, a Notary Public in and for the said County and State, personally appeared, G. STEVEN VANNI, who acknowledged that he is the person who executed the foregoing Assignment and acknowledged it to be his free and voluntary act and deed.

Witness my hand and notarial seal this 9th day of January, 2003.

(Notarial Seal)

Bethany R. Alborn

Notary Public

Notarial Seal
Bethany R. Alborn, Notary Public
City of Pittsburgh, Allegheny County
My Commission Expires Aug. 21, 2006

State of Pennsylvania

SS:

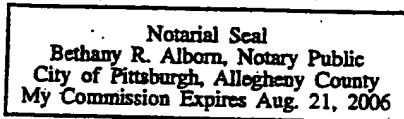
County of Allegheny

Before me, a Notary Public in and for the said County and State, personally appeared, JULIANE WOLFE, who acknowledged that she is the person who executed the foregoing Assignment and acknowledged it to be her free and voluntary act and deed.

Witness my hand and notarial seal this 9th day of January, 2003.

(Notarial Seal)

Bethany R. Alborn
Notary Public



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Gardner, Jr. et al.

Serial No.: 10/339,807

Filed: 01/10/2003

For: METHOD FOR DETECTION OF PATHOGENIC MICROORGANISMS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

POWER OF ATTORNEY

The undersigned, an authorized representative of Assignee, ChemImage, Inc., in the above-identified patent application, revokes all powers of attorney previously granted, and appoints the following persons as his new attorneys, with full power of revocation and substitution, to act in his behalf in all matters affecting the above-identified patent application.

The undersigned hereby appoints the practitioners of Customer No. 000041396, namely, Samuel W. Apicelli, Registration No. 36,427; Arthur L. Plevy, Registration No. 24,277; L. Lawton Rogers, III, Registration No. 24,302; Lewis F. Gould, Jr., Registration No. 25,057; William H. Murray, Registration No. 27,218; Stephan P. Gribok, Registration No. 29,543; Peter J. Cronk, Registration No. 32,021; Richard Redano, Registration No. 32,292; Robert E. Rosenthal, Registration No. 33,450; Richard A. Paikoff, Registration No. 34,892; Steven E. Koffs, Registration No. 37,163; Paul A. Schwarz, Registration No. 37,577; Gail A. Dalickas, Registration No. 40,979; Darlus C. Gambino, Registration No. 41,472; Carl A. Giordano, Registration No. 41,780; D.

Docket No.: E2079-00005

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Joseph English, Registration No. 42,514; Edward J. Howard, Registration No. 42,670; Gary Maze, Registration No. 42,851; Patrick D. McPherson, Registration No. 46,255; Mark C. Comtois, Registration No. 46,285; Melanle Goddard, Registration No. 46,732; Joseph Powers, Registration No. 47,006; Patrick C. Muldoon, Registration No. 47,343; and William J. Kauffman, Registration No. 55,319; as his attorneys to prosecute this application for patent, with full power of substitution and revocation to amend or otherwise act relative to him as they may deem advisable, to transact all business in the Patent and Trademark Office in connection therewith and generally to do all matters and things needful in the premises and to receive the Letters Patent.


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Chemimage, Inc.

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